

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

716M0171

SENATE TRANSPORTATION COMMITTEE

ENGROSSED NO. **HB 1084** - 02/14/2006

Introduced by: Representatives Michels, Hunhoff, and Rave and Senator Moore

1 FOR AN ACT ENTITLED, An Act to authorize counties to regulate the operation of certain
2 off-road vehicles in highway ditches.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 32-20 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Notwithstanding the provisions of § 32-20-12, any board of county commissioners may, by
7 ordinance, prohibit the operation of off-road vehicles in any highway ditch along any section
8 of highway under its jurisdiction. However, no board of county commissioners may prohibit an
9 off-road vehicle from crossing one side of the highway to the other. This section does not affect
10 off-road vehicles used in normal agricultural operation or service vehicles of any utility while
11 in the line of duty for the utility. For the purposes of this section, the term, utility, means any
12 provider of electric, gas, water, sewer, pipeline, or telecommunications service.

13 Notice of any restriction made pursuant to this section shall be given by placing and
14 maintaining regulatory signs at each end of the section of highway and at each point of
15 intersection. The signs shall be of substantial construction which conspicuously indicates the



1 restriction.